

EDUCATION CABINET

Kentucky Board of Education

Department of Education

(Amendment)

**702 KAR 7:065. Designation of agent to manage high school interscholastic
athletics.**

RELATES TO: KRS 156.070(2)

STATUTORY AUTHORITY: KRS 156.070 (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070 requires the Kentucky Board of Education (KBE) to manage and control the common schools, including interscholastic athletics in the schools, and authorizes the KBE to designate an agency to manage athletics. This administrative regulation designates an agent for high school athletics; establishes the financial planning and review processes for the agent; and incorporates by reference the bylaws, procedures and rules of the agent.

Section 1. The Kentucky High School Athletic Association (KHSAA) shall be the Kentucky Board of Education's agent to manage interscholastic athletics at the high school level in the common schools, including a private school desiring to associate with KHSAA and to compete with a common school.

Section 2. To remain eligible to maintain the designation as the agent to manage interscholastic athletics, the KHSAA shall:

(1) Accept four (4) at-large members appointed by the Kentucky Board of Education to its governing body;

(2) Sponsor an annual meeting of its member schools;

(3) Provide for each member school to have a vote on constitution and bylaw changes submitted for consideration;

(4) Provide for regional postseason tournament net revenues to be distributed to the member schools in that region participating in that sport, utilizing a share approach determined by the schools within that region playing that sport;

(5) Require its governing body to annually establish goals and objectives for its Commissioner and perform a self-assessment and submit the results annually to the KBE by October 31.

(6) Advise the Department of Education of all legal action brought against the KHSAA by October 31;

(7) Permit a board of control member to serve a maximum of two (2) consecutive four (4) year terms with no region represented for more than eight (8) consecutive years;

(8) Employ a commissioner and evaluate that person's performance annually by October 31, and establish all staff positions upon recommendation of the commissioner;

(9) Permit the commissioner to employ other personnel necessary to perform the staff responsibilities;

(10) Permit the Board of Control to assess fines on a member school;

(11) Utilize a trained independent hearing officer instead of an eligibility committee for an appeal;

(12) Establish a philosophical statement of principles to use as a guide in an eligibility

case;

(13) Conduct field audits of the Association's entire membership over a five-year period regarding each school's compliance with 20 USC Section 1681 (Title IX).and submit summary reports including the highlighting of any deficiencies in compliance on a regular (not less than three times annually) basis to the Kentucky Board of Education as requested; as a condition precedent to membership, require each member school and superintendent to annually submit a written certification of compliance with 20 USC Section 1681 (Title IX). ;

(14) Conduct all meetings in accordance with KRS 61.805 through 61.850; and

(15) Provide written reports of any investigations into possible violations of statute, administrative regulation, KHSAA Constitution, bylaws, and other rules governing the conduct of interscholastic athletics conducted by KHSAA or their designees to the superintendent and principal of the involved school district and school prior to being made public.

Section 3. Financial Planning and Review Requirements..

(1) KHSAA shall annually submit the following documents to the KBE by October 31:

(a) Draft budget for the next two (2) fiscal years, including the current year;

(b) End of Year budget status report for the previous fiscal year;

(c) Revisions to the KHSAA Strategic Plan as a result of an annual review of the plan by the KHSAA governing body;

(d) A summary report of operations including financial, legal and administrative summaries of actions taken and other items ongoing within KHSAA. This report shall also include a summary of items affecting:

1. Athletic appeals and their disposition including the name of the individual, grade, school, and the action taken by KHSAA;

1 2. Eligibility rules;

2 3. Duties of school officials;

3 4. Contests and contest limitations;

4 5. Requirements for officials and coaches; and

5 6. Results of a biennial review of its bylaws that results in a recommendation for a
6 change, directing any proposals for change in association rules to be considered for vote
7 by the member schools at the next legislative opportunity; and

8 (e) A review of all items which have been submitted to the membership for approval
9 through the processes established in the KHSAA Constitution and the result of the voting on
10 those issues;

11 (2) The KHSAA shall annually submit by December 31, audited financial statements
12 with the KHSAA Commissioner's letter addressing exceptions or notes contained in
13 Management Correspondence, if any.

14 Section 4. The bylaws, tournament rules, and due process procedures of the KHSAA
15 Handbook, Fall 2007 [~~Fall 2006~~] shall apply to high school interscholastic athletics in Kentucky.

16 Section 5. Incorporation by Reference. (1) "Kentucky High School Athletic Association
17 Handbook, Fall 2007 [~~Fall 2006~~]", Kentucky High School Athletic Association, is incorporated
18 by reference.

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21 Capital Plaza Tower, Frankfort, Monday through Friday, 8 a.m. through 4:30 p.m.